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RONALD A. KATZ TECHNOLOGY LICENSING, L.P.
11

12 UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
13 WESTERN DIVISION
14

15 In Re KATZ INTERACTIVE CALL
PROCESSING LITIGATION

Case No. 07-CV-02196-RGK
(FFMx)

16 This document relates to:

Case No. 07-ML-1816-B-RGK
(FFMx)

17 Ronald A. Katz Technology Licensing
18 L.P.,

**STIPULATION OF DISMISSAL
AS TO DEFENDANT
AMERICAN BEACON
ADVISORS, INC.**

19 Plaintiff,

20 v.

21 American Airlines, Inc., et. al.,

22 Defendant.
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Honorable R. Gary Klausner

Courtroom: 850

Discovery Cutoff: May 14, 2008

1 **WHEREAS:** (1) on August 21, 2006, Plaintiff Ronald A. Katz
2 Technology Licensing, L.P. ("RAKTL") filed a Complaint in the United States
3 District Court for the Eastern District of Texas commencing Civil Action No. 2:06
4 CV 334-DF (the "Action") against Defendant American Beacon Advisors, Inc.
5 ("American Beacon"); (2) on October 16, 2006, American Beacon filed its Answer
6 and Counterclaims to RAKTL's Complaint; (3) on November 9, 2006, RAKTL
7 filed its Reply to the Counterclaims; (4) in an order filed on March 20, 2007 in the
8 Clerk's Office of the Judicial Panel on Multidistrict Litigation as Docket No. 1186
9 (the "MDL Order"), the Judicial Panel entered a Transfer Order in the matter
10 captioned *In Re Katz Interactive Call Processing Patent Litigation* transferring the
11 Action and other actions to this Court, and on March 30, 2007, the MDL Order was
12 filed in the Clerk's Office of this Court; (5) on December 12, 2007, RAKTL filed
13 an Amended Complaint in the Action in the United States District Court of
14 California (Civil Action 07-2196 RGK (FMMx)); (6) on January 11, 2008,
15 American Beacon filed its Amended Answer and Counterclaims to RAKTL's First
16 Amended Complaint; (7) on January 28, 2008, RAKTL filed its Reply to American
17 Beacon's Amended Answer and Counterclaims; and (8) RAKTL and American
18 Beacon have reached a mutually satisfactory resolution of all issues between them
19 that were the subject of the Action;

20 **NOW, THEREFORE,** RAKTL and American Beacon jointly request
21 and stipulate to the entry of an Order providing that:

22 1. All claims asserted by RAKTL against American Beacon and all
23 counterclaims asserted by American Beacon against RAKTL in the Action are
24 dismissed with prejudice;

25 2. Each of the parties shall bear its own costs, expenses and
26 attorneys fees associated with the prosecution and defense of the Action;
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1 3. The Court that presided over the Action before the MDL Order
2 was entered shall retain jurisdiction over this matter for purposes of enforcement of
3 the settlement; and

4 4. All unresolved pending motions in the Action between these
5 settling parties shall be denied as moot.

6
7 IT IS SO STIPULATED:

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9 Dated: November 24, 2008

COOLEY GODWARD KRONISH LLP
KENT M. WALKER

11 Kent M Walker
12 Kent M. Walker

13 Attorneys for Plaintiff
14 RONALD A. KATZ TECHNOLOGY
15 LICENSING, L.P.

16 Dated: November 24, 2008

MCKOOL SMITH LLP
PETER J. AYERS

18 Kent M Walker
19 for and with the permission of
→ Peter J. Ayers

20 Attorneys for Defendant
21 AMERICAN BEACON ADVISORS, Inc.